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LAKEWOOD CO 80215

MAILED

MAY 06 2009

OFFICE OF PETITIONS

In re Application of :  
Cleon Louis Griffiths :  
Application Number: 09/825483 : ON PETITION  
Filing Date: 04/03/2001 :  
For: SECURE CONDOM :

This is a communication in response to the paper filed on March 26, 2009.

The petition is dismissed for the reason stated below.

A proper petition should be submitted within **TWO (2) MONTHS** from the mail date of this decision. **This time period is not extendable.**<sup>1</sup>

The application became abandoned on November 23, 2002, for failure to timely file a proper response to the Office action stating that the prior reply appeared to be a *bona fide* attempt at a reply, but was insufficient, which set a one (1) month shortened statutory period for reply. A response was received on March 18, 2003, but was untimely. On November 5, 2003, an Office letter was mailed stating that the reply filed on March 18, 2003, was untimely, and that extensions of time were required. On November 18, 2003, Notice of Abandonment was mailed. A petition under 37 CFR 1.137(a) was filed on December 17, 2007. On January 18, 2008, the petition was dismissed.

On March 10, 2009, a letter was filed, addressed to the undersigned Petitions Attorney, whereby petitioner *pro se* states that he wishes to provide additional information concerning the circumstances at the time the application was filed. On March 19, 2009, a decision dismissing the petition was mailed.

At the outset, the petition cannot be considered on the merits because it is not signed. Specifically, 37 CFR 1.4 requires that all papers filed in the USPTO must be signed by either a

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<sup>1</sup> 37 CFR 1.181(f).

registered patent attorney or all of the inventors in an application. No signature of the inventor *pro se* is present on the papers filed on March 26, 2009.

Additionally, petitioner has not presented any arguments in support of a finding of unavoidable delay.

A properly-signed petition must be submitted if petitioner wishes to pursue revival of the application.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By FAX: (571) 273-8300  
Attn: Office of Petitions

By hand: Customer Service Window  
Mail Stop Petition  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3231.



Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions